

1 JOSEPH P. RUSSONIELLO (CSBN 44332)
 2 United States Attorney
 2 JOANN M. SWANSON (CSBN 88143)
 Chief, Civil Division
 3 MELANIE L. PROCTOR (CSBN 228971)
 Melanie.Proctor@usdoj.gov
 4 Assistant United States Attorney

5 450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102-3495
 6 Telephone: (415) 436-6730
 FAX: (415) 436-7169

7 Attorneys for Respondents

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 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

12 ANA BIOCINI,) No. C 08-0885 SI
 13 Petitioner,)
 14 v.)
 15 MICHAEL MUKASEY, in his official) NOTICE OF RELEASE
 capacity as Attorney General of the United)
 16 States; et al.,)
 17 Respondents.)
 _____)

18 On April 11, 2008, Petitioner was released from custody. See Declaration of Melanie
 19 Proctor, Exhs. 11, 12, 13. Accordingly, the petition should be dismissed as moot.

20 Dated: April 11, 2008

Respectfully submitted,

21 JOSEPH P. RUSSONIELLO
 22 United States Attorney

23 /s/
 24 MELANIE L. PROCTOR
 Assistant United States Attorney
 25 Attorneys for Respondents

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

12 ANA BIOCINI,) No. C 08-0885 SI
13 Petitioner,)
14 v.)
15 MICHAEL MUKASEY, in his official) DECLARATION OF MELANIE
capacity as Attorney General of the United) PROCTOR
16 States; et al.,)
17 Respondents.)

I, Melanie Proctor, declare and state as follows:

1. I am employed by the United States Attorney's Office, Northern District of California, as an Assistant United States Attorney. My current employment address is 450 Golden Gate Avenue, Box 36055, San Francisco, California, 94102. I am the attorney assigned to the above-captioned matter.

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2. On Monday, April 7, 2008, I notified Petitioner's counsel, via e-mail, that Petitioner would be released this week. A true and correct copy of this e-mail is attached hereto, as Exh. 11.

3. On Thursday, April 10, 2008, I notified Petitioner's counsel, via e-mail, that Petitioner would be released on Friday, April 11, 2008. A true and correct copy of this e-mail is attached hereto, as Exh. 12.

4. Petitioner was, in fact, released from custody on April 11, 2008. ICE provided me with the attached copies of the release order and conditions of release. A true copy of said documents are attached hereto, as Exh. 13.

Signed this 21st day of March, 2008, in San Francisco, California.

/s/
MELANIE L. PROCTOR

EXHIBIT 11

Proctor, Melanie (USACAN)

From: Proctor, Melanie (USACAN)
Sent: Monday, April 07, 2008 4:58 PM
To: 'hscooper@ucdavis.edu'
Subject: Biocini, 08-885 SI
Attachments: Stipulation to Dismiss.pdf

Ms. Cooper,

ICE has agreed to release Ms. Biocini on ISAP. The process will take one or two days, because they must arrange transportation from Bakersfield to San Francisco. Nonetheless, I anticipate that she will be released by Thursday at the latest. In anticipation of that event, and to save your students unnecessary work as they approach finals, I am attaching a draft stipulation to dismiss.

Please let me know if you have any questions.

Sincerely,
Melanie Proctor

Melanie L. Proctor
Assistant U.S. Attorney
Northern District of California
T: (415) 436-6730
F: (415) 436-7169

EXHIBIT 12

Proctor, Melanie (USACAN)

From: Proctor, Melanie (USACAN)
Sent: Thursday, April 10, 2008 8:29 AM
To: 'hscooper@ucdavis.edu'
Subject: Biocini, 08-885

Ms. Cooper,

I learned this morning that the reason there has been a delay in Ms. Biocini's release is due to the fact that no ground transportation is available to transport her to San Francisco. Ms. Biocini will be on a JPATS flight tonight that will route through Eloy, Arizona, before coming to San Francisco tomorrow morning. Please do not be alarmed if you receive a call from her regarding this route—she is NOT being removed.

Given the time frame, do you want to ask the Court for a one week extension on filing the traverse?

Sincerely,
Melanie Proctor

Melanie L. Proctor
Assistant U.S. Attorney
Northern District of California
T: (415) 436-6730
F: (415) 436-7169

EXHIBIT 13

Order of Supervision

File No: A91 182 333Date: April 11, 2008Name: BIOCINI, Ana BeatrizOn August 31, 2006, you were ordered:

(Date of final order)

 Excluded or Deported pursuant to proceedings commenced prior to April 1, 1997. Removed pursuant to proceedings commenced on or after April 1, 1997.

Because the Agency has not effected your deportation or removal during the period prescribed by law, it is ordered that you be placed under supervision and permitted to be at large under the following conditions:

That you appear in person at the time and place specified, upon each and every request of the Agency, for identification and for deportation or removal.

That upon request of the Agency, you appear for medical or psychiatric examination at the expense of the United States Government.

That you provide information under oath about your nationality, circumstances, habits, associations, and activities and such other information as the Agency considers appropriate.

That you do not travel outside The State of California for more than 48 hours without first
(Specify geographic limits, if any)
having notified this Agency office of the dates and places of such proposed travel.

That you furnish written notice to this Agency office of any change of residence or employment within 48 hours of such change.

That you report in person to this office at 630 Sansome Street, 5th Floor, San Francisco, CA 94111, 1st Tuesday of every month, unless you are granted written permission to report on another date.

That you assist the Immigration and Customs Enforcement in obtaining any necessary travel documents.

Other: : ABIDE AND COMPLY WITH THE CONDITIONS OF THE ISAP PROGRAM,
Located: 500 Sansome Street, San Francisco, CA 94111.

See attached sheet containing other specified conditions (Continue on separate sheet if required)

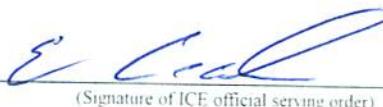
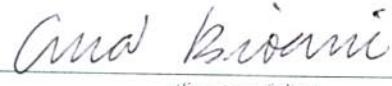


(Signature of ICE official)

Anthony Aiello, Assistant Field Office Director
(Print name and title of ICE Official)

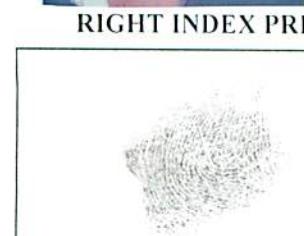
Alien's Acknowledgment of Conditions of Release under an Order of Supervision

I hereby acknowledge that I have (read) (had interpreted and explained to me in the _____ language) the contents of this order, a copy of which has been given to me. I understand that failure to comply with the terms of this order may subject me to a fine, detention, or prosecution.

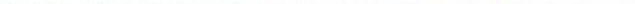

(Signature of ICE official serving order)
(Signature of alien)4.11.08
(Date)

U.S. Department of Homeland Security
Immigration and Customs Enforcement

Continuation Page for Form: I-220B

Alien's Name BIOCINI, Ana Beatriz	Fila Number A91 182 333	Date April 11, 2008
 <i>Ana BIOCINI</i> Alien's Signature		 RIGHT INDEX PRINT
Alien's Address	669 37 th St. Richmond, CA 94805	
Home (510) 233-4957 Cell (415) 378-4614		
Alien's Telephone Number (if any)		

PERSONAL REPORT RECORD

Signature		Title
		Assistant Field Office Director

File No: A91 182 333

Date: March 11, 2008

Name: BIOCINI, Ana Beatriz

[X] That you do not associate with criminals or members of a gang that is known to be involved in criminal activity.

[X] That you do not commit any crimes or be associated with any criminal activity while on this Order of Supervision.

[X] You must follow all reporting and supervision requirements as mandated by the parole or probation officer.

[X] That you continue to follow any prescribed doctor's orders whether medical or psychological, including taking prescribed medications.

[X] That you make good faith and timely efforts to obtain a travel document and assist ICE in obtaining a travel document.

[X] That you provide ICE a copy of your application(s) for a travel document that you submit to any Embassy or Consulate, including all supporting documents, photos, and other items provided to the Embassy or Consulate to support your application(s).

[X] That you provide ICE a copy of all correspondence related to your travel document application(s) that you send to, or receive from, an Embassy or Consulate.

[X] That you contact the Embassy or Consulate within 21 calendar days of making your application(s) to confirm that the information you provided is sufficient.

[X] That you comply with any requests from an Embassy or Consulate for an interview and make good faith efforts to submit further documentation if required by the Embassy or Consulate.

[X] Every time you report in person under this order of supervision, you must inform the local ICE office of all actions you have taken to obtain a travel document. You must provide any available written documentation to ICE regarding these actions and the status of your travel document application(s).

[X] That you provide ICE, upon request, with any and all information relevant to application(s) for a travel document. This may include, but is not limited to, information regarding your family history, including dates of birth, nationalities, addresses, and phone numbers as requested for such persons, whether in your country of nationality and/or citizenship or elsewhere, and your past residences, schools attended, etc.

I agree to comply with the rules, requirements, and administrators in the supervised release program described in the attached document.

Alien's signature *Ara Bivini* Date 4-11-08

[] Other:

Any violation of any of the above conditions may result in a fine, more restrictive release conditions, return to detention, criminal prosecution, and/or revocation of your employment authorization document.

Alien's Acknowledgement of Conditions of Release under an Order of Supervision

I hereby acknowledge that I have (read) (had interpreted and explained to me in the English language) the contents of this order and addendum, a copy of which has been given to me. I understand that failure to comply with the terms of this order and addendum may subject me to a fine, more restrictive release conditions, detention, criminal prosecution, and/or revocation of my employment authorization document.

E. Cral 3169

(Signature of ICE official serving order)

Ara Bivini

(Signature of alien)

4-11-08

(Date)

Please note that all references in this order/addendum to "ICE" or "Agency" should now be considered to refer to U.S. Immigration and Customs Enforcement (ICE)

Updated 4/25/2005

Out Processing ChecklistSex Offenders

- Probation/Parole Officer notified.
- Registered as sex-offender as required by state statute within 7 days.
- Victim/Witness Coordinator notified.
- Victim/Witness notified.
- Written Proof of Counseling.

Substance Abusers

- Probation/Parole Officer notified.
- Written Proof of Counseling.

All Aliens

- Parole/Probation Officer notified.
- Obtain address where living and telephone number.
- Enter into IDENT
- NCIC check

Completed By:

 3169

Deportation Officer

4-11-08

Date

Concurrence By:



Supervisory Deportation Officer

4.10.8

Date